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10 Attorney for Chase Home Finance LLC

11 [FILE 09-020182 CHE]

7 **UNITED STATES BANKRUPTCY COURT**
8 **DISTRICT OF ARIZONA**

9 In re:

10 GONZALO CASTANEDA AND VERONICA
11 LYNN BROWN-CASTANEDA,

12 Debtor.

Case # 2:09-bk-31617-RTB

Chapter 13

OBJECTION TO CHAPTER 13 PLAN BY
Chase Home Finance LLC

13 Chase Home Finance LLC, ("CHASE"), a secured creditor
14 in this bankruptcy case, through undersigned counsel hereby
15 objects to the confirmation of the Chapter 13 Plan filed by the
16 Debtor for the reasons stated below.

17 1. CHASE is the holder of a note ("the CHASE Note"),
18 secured by a deed of trust recorded in the first position
19 against certain real property, ("the Property"), generally
20 described as 8225 West Nicolet Avenue, Glendale, AZ 85303 and
21 legally described as:

22 LOT NINETY-EIGHT, WEST GLENN ESTATES, ACCORDING TO THE
23 PLAT OF RECORD IN THE OFFICE OF THE COUNTY RECORDER OF
24 MARICOPA COUNTY, ARIZONA, RECORDED IN BOOK 489 OF
MAPS, PAGE 35.

1 A copy of the note and deed of trust held by CHASE are
2 attached hereto as exhibits "A" and "B". Upon information and
3 belief, the above-described real property is the principal
4 residence of the Debtor.

5 2. When the bankruptcy petition was filed on
6 December 8, 2009, the payments under the terms of the CHASE Note
7 were in default. The plan incorrectly states the amount of the
8 default on the CHASE Note. The correct amount of the default is
9 as follows:

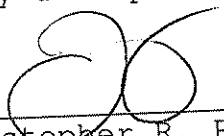
ARREARAGE AMOUNT DUE at the time the case was filed:	
Escrow Shortage	\$479.85
Bankruptcy Attorneys' Fees & Costs**	300.00
TOTAL ARREARAGE AND OTHER CHARGES:	\$779.85

12
13 3. CHASE objects to the Confirmation unless the regular
14 post-petition payments due on the Note are current

15 WHEREFORE, CHASE objects to confirmation of the
16 chapter 13 Plan.

17 DATED this 5 day of January, 2010.

18
19 Perry & Shapiro, L.L.P.

20
21 
22 Christopher R. Perry
23 Jason P. Sherman
24 Attorney for CHASE

1 Copy of the foregoing was mailed
this 5 day of January, 2010 to:

2 Chapter 13 Trustee:

3 Edward J. Maney

P.O. BOX 10434

4 Phoenix, AZ 85064

5 Attorney for Debtor:

Joseph W. Charles

6 P.O. Box 1737

Glendale, AZ 85311

7
8 Debtor:

Gonzalo Castaneda and Veronica Lynn Brown-Castaneda

9 8225 West Nicolet Avenue

Glendale, AZ 85303

10
11 United States Bankruptcy Court

230 N. First Ave., Suite 204

12 Phoenix, AZ 85003-1706

13
14 By Amber Mallette